



COPY OF PAPERS
ORIGINALLY FILED

Attorney Docket No.: 02-106820US
Client Reference No.: 0184.310US

DECLARATION

3

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **NOVEL LIPASE GENES** the specification of which is attached hereto or X was filed on July 13, 2001 as Application No. 09/905,666, and was amended on (if applicable).

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

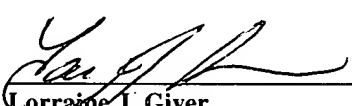
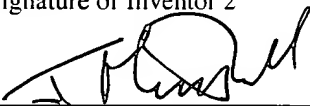

Application No.	Filing Date
60/217,954	July 13, 2000
60/300,378	June 21, 2001

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status

Full Name of Inventor 1:	Full Name: Lorraine J. Giver		
Residence & Citizenship:	City: Santa Clara	State/Foreign Country: California	Country of Citizenship: US
Post Office Address:	Post Office Address: 2538 Hawkington Ct., Santa Clara, CA 95051 USA		
Full Name of Inventor 2:	Full Name: Jeremy Minshull		
Residence & Citizenship:	City: Menlo Park	State/Foreign Country: California	Country of Citizenship: The United Kingdom
Post Office Address:	Post Office Address: 842 Hermosa Way, Menlo Park, California 94025		
Full Name of Inventor 3:	Full Name: Kurt Vogel		
Residence & Citizenship:	City: Palo Alto	State/Foreign Country: California	Country of Citizenship: US
Post Office Address:	Post Office Address: 4151-D El Camino Way, Palo Alto, California 94025		

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1  Lorraine J. Giver	Signature of Inventor 2  Jeremy Minshull	Signature of Inventor 3  Kurt Vogel
Date 9/25/01	Date 10/15/01	Date



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Residence & Citizenship:	City: Menlo Park	State/Foreign Country: California	Country of Citizenship: The United Kingdom
Post Office Address:	Post Office Address: 842 Hermosa Way, Menlo Park, California 94025		
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Signature of Inventor 1 _____	Signature of Inventor 2 _____	Signature of Inventor 3 
Lorraine J. Giver	Jeremy Minshull	Kurt Vogel
Date	Date	Date 1 OCT '01

COPY

NOT FOR RECORDATION

Attorney Docket No.: 02-106820US
Client Reference No.: 0184.310US

ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, Lorraine J. Giver, of 2538 Hawkington Ct., Santa Clara, CA 95051 USA, Jeremy Minshull of 842 Hermosa Way, Menlo Park, California 94025, Kurt Vogel of 4151-D El Camino Way, Palo Alto, California 94025, , , of , of , of , and of hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: NOVEL LIPASE GENES

Filing Date: July 13, 2001

Application No.: 09/905,666 ; and

WHEREAS, Maxygen, Inc., a Delaware corporation, located at 515 Galveston Drive

Redwood City, California 94063 United States of America, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;


For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on any patent application claiming priority from the same in the United States and all countries throughout the world, and which claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Assignment
Application No.: 09/905,666
Page 2


IN TESTIMONY WHEREOF, Assignors have signed his/her name on the date indicated.

Dated: 9/25/01



Lorraine J. Giver

SIGNATURE WITNESSED BY:

(1) Date: 9/25/01

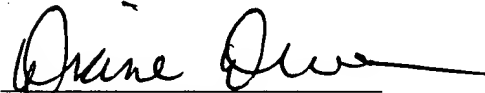

Signature of Witness 1

Dated: 10/15/01


Jeremy Minshull

SIGNATURE WITNESSED BY:

(1) Date: 10/15/01


Signature of Witness 1

Dated: _____

Kurt Vogel

SIGNATURE WITNESSED BY:

(1) Date: _____

Signature of Witness 1

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Page 2

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Dated: _____

Lorraine J. Giver

SIGNATURE WITNESSED BY:

(1) Date: _____

Signature of Witness 1

Dated: _____

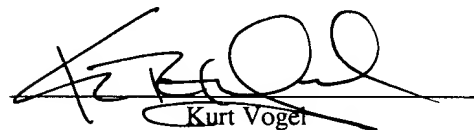
Jeremy Minshull

SIGNATURE WITNESSED BY:

(1) Date: _____

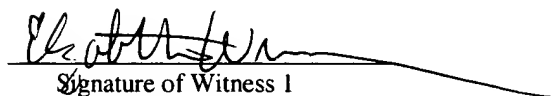
Signature of Witness 1

Dated: 1 OCT 01


Kurt Vogel

SIGNATURE WITNESSED BY:

(1) Date: 10/1/01


Signature of Witness 1